

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

PAUL N. ROYAL as Administrator *Ad Litem* For the
Estate of RICKY JAVENTIA BALL, Deceased,
and on behalf of All Wrongful Death Beneficiaries

PLAINTIFF

vs.

Docket No.: 1:16CV176-GHD-RP

CANYON BOYKIN, Individually and
in his Official Capacity as an Officer of the
Columbus Police Department;
TONY CARLETON, Individually and
in his Official Capacity as Chief of Police of
the Columbus Police Department;
CITY OF COLUMBUS, MISSISSIPPI

DEFENDANTS

**PLAINTIFF'S RESPONSE TO MOTION TO PRODUCE CERTAIN
TRANSCRIPTS AND EXHIBITS TO ATTORNEY GENERAL**

COMES NOW the Plaintiff, by and through counsel of record and in response to the Motion to Produce Certain Deposition Transcripts and Exhibits to the Attorney General's Office would respectfully state as follows:

1. On October 11, 2018, Plaintiff's counsel, Andrew C. Clarke, received a subpoena from the Attorney General's Office requesting Plaintiff's counsel file in the civil case.
2. Plaintiff has no objection to producing the same (excluding attorney materials) to the Attorney General's Office.
3. Plaintiff's counsel is currently under competing obligations pertaining to the documents and deposition transcripts in his possession: 1) the protective orders entered into in this case pertaining to the documents; and 2) a subpoena from the Mississippi state court for documents issued by the Attorney General's Office.

4. Therefore, Plaintiff joins Defendant's Boykin's Motion to Produce Certain Transcripts (excluding Defendant Boykin's deposition) and request that this Honorable Court also rule that Plaintiff's counsel can produce the documents subpoenaed by the Attorney General's Office and comply with the subpoena issued to him.

WHEREFORE, PREMISES CONSIDERED, Plaintiff moves this Honorable Court for an Order allowing Plaintiff's counsel to comply with the subpoena issued to Plaintiff's counsel to produce depositions and exhibits by the Attorney General's Office.

Respectfully submitted,

By: /s/ Andrew C. Clarke
ANDREW C. CLARKE (TNBPR No. 15409)
6250 Poplar Avenue, Second Floor
Memphis, TN 38119
(901) 590-0761 (Telephone)
aclarke@accfirm.com

CERTIFICATE OF SERVICE

I, Andrew C. Clarke, do hereby certify that I have this date served the following with a copy of the foregoing had been served to all counsel of record via email on this the 16th day of November, 2018:

Errick D. Simmons, Esq.
P. O. Box 1854
Greenville, Mississippi 38702
edsimmons@simmonspllc.com
Counsel for the Plaintiff

Howard Manis, Esq.
THE COCHRAN FIRM MEMPHIS
One Commerce Square, Suite 1700
Memphis, TN 38103
dbanks@cochranfirm.com
Counsel for Plaintiff (PHV Contingent)

Katherine S. Kerby, Esq.
KERBY LAW FIRM, LLC
P. O. Box 551
Columbus, Mississippi 39703
ksearcy@bellsouth.net
Counsel for the City of Columbus and Chief Carleton

Jeffery P. Reynolds, Esq.
Jeffery P. Reynolds, P.A.
P. O. Box 24597
Jackson, Mississippi 39225
jeff@jprpa.com
Counsel for Officer Boykin

S/ Andrew C. Clarke
ANDREW C. CLARKE